

## REMARKS

This is intended as a full and complete response to the Office Action dated September 8, 2008, having a shortened statutory period for response extended one month set to expire on January 8, 2009. Please reconsider the claims pending in the application for reasons discussed below.

### Statement of Substance of Interview

On December 30, 2008, a telephonic interview was held between Walter C. Grollitsch, Examiner Keith and Examiner Hughes. The parties discussed the cited references Harrall (SPE 2002), Peterson (U.S. 5,275,240) and Simpson (WO0037766). Claims 1, 54, 56 and 61 were also discussed. Additionally, on January 7, 2009, a telephonic interview was held between Walter C. Grollitsch and the Examiner Hughes.

The arguments and amendments herein are presented in accordance with the substance of the interview to place the application in condition for allowance.

### Claims Rejections - 35 U.S.C. § 102

The Examiner rejected claims 1, 3-19, 21-29, 54-57 and 60-65 under 35 U.S.C. § 102(b) as being anticipated by Harrall (SPE 2002). Applicants respectfully traverse the rejection of independent claims 54 and 56. Additionally, Applicants have amended independent claims 1 and 61.

As amended, claim 1 includes the limitations of identifying a desired collapse resistance of the tubular and selecting a level of the radial force to increase the collapse resistance of the tubular to the desired collapse resistance. Support for these amendments are found generally in paragraphs [0008] and [0034]-[0038] and other paragraphs in the published application. Harrall fails to disclose these limitations. Harrall merely discloses the use of rotary expansion in solid expandable tubulars.

As amended, claim 61 includes the limitation of selecting a level of the radial force to increase the collapse resistance wherein applying said radial force induces compressive yield of an inner portion of the wall due to selecting the level of the radial force sufficient to cause the compressive yield and wherein an outer diameter of the

tubular experiences no appreciable diametric expansion as a result of the radial force applied by the bearing member. Harrall fails to disclose these limitations. Harrall merely discloses the diametric expansion of a tubular into contact with a surrounding tubular. For similar reasons, Harrall fails to disclose all the limitations in claim 54.

Claim 56 includes the limitations of expanding a tubular with a cone expander; subsequently, locating a tool having at least one bearing member within the tubular; placing the bearing member in direct engagement with a wall of the tubular to apply a radial force to first and second separated discrete zones of the wall; and selecting a level of the radial force to increase the collapse resistance of the tubular. Harrall fails to disclose these limitations. Harrall merely discloses expanding a casing patch (or clads) into an existing casing. Harrall fails to disclose expanding a tubular with a cone expander and then applying a force to the same tubular using a tool having at least one bearing member and selecting a level of the radial force to increase the collapse resistance of the tubular as recited in claim 56.

As the foregoing illustrates Harrall fails to disclose all the limitations in claims 1, 54, 56 and 61. This failure precludes Harrall from anticipating claims 1, 54, 56 and 61. Therefore, Applicants respectfully request the § 102(b) rejection of claims 1, 54, 56 and 61 be removed and allowance of the same. Additionally, the claims that depend from 1, 54, 56 and 61 are allowable for at least the same reasons as claims 1, 54, 56 and 61.

### ***Claim Rejections - 35 U.S.C. § 103***

The Examiner rejected claim 20 under 35 U.S.C. § 103(a) as being obvious over Harrall and Hempel (US 2,898,971). Applicants respectfully traverse the rejection. Claim 20 depends from claim 1. As set forth above, Harrall fails to disclose all the limitations of claim 1. Further, Hempel fails to cure the deficiencies of Harrall. Therefore, the combination of Harrall and Hempel fails to render claim 20 obvious. Applicants respectfully request the § 103(a) of claim 20 be removed and allowance of the same.

The Examiner rejected claims 1, 3-19, 23-29, 54-55, 57 and 61-63 under 35 U.S.C. § 103(a) as being obvious over Simpson (WO0037766) and Peterson (U.S. 5,275,240). In response, Applicants have amended independent claims 1, 54 and 61.

As amended, claim 1 includes the limitations of identifying a desired collapse resistance of the tubular and selecting a level of the radial force to increase the collapse resistance of the tubular to the desired collapse resistance. There is no mention in either Simpson or Peterson of identifying a desired collapse resistance and then selecting a level of the radial force that will increase the collapse resistance of a tubular to the desired collapse resistance.

As amended, claims 54 and 61 are directed toward a method of increasing radial collapse resistance of a tubular by selecting a level of the radial force to increase the radial collapse resistance of the tubular. Peterson clearly fails to disclose these limitations. Peterson merely discloses a tubular having grooves formed therein, wherein the tubular is configured to collapse or shorten upon application of a force (see Peterson, Figure 4). Peterson specifically states that the tubular configuration is to minimize the axial load and prevent buckling or collapsing (see Peterson, col. 4, lines 7-14 and col. 6, lines 3-10) which relate to axial collapse resistance rather than radial collapse resistance as recited in claims 54 and 61. Further, Simpson fails to cure the deficiencies of Peterson.

As the following illustrates, the combination of Simpson and Peterson fails to disclose all the limitations of claims 1, 54 and 61. This failure precludes the combination of Simpson and Peterson from rendering claims 1, 54 and 61 obvious. Therefore, Applicants respectfully request the § 103(a) rejection of claims 1, 54 and 61 be removed and allowance of the same. Additionally, the claims that depend from 1, 54, and 61 are allowable for at least the same reasons as claims 1, 54, and 61.

The Examiner rejected claim 20 under 35 U.S.C. § 103(a) as being obvious over Simpson, Peterson and Hempel. Applicants respectfully traverse the rejection. Claim 20 depends from claim 1. As set forth above, the combination of Simpson and Peterson fails to disclose all the limitations of claim 1. Further, Hempel fails to cure the deficiencies of the combination of Simpson and Peterson. Therefore, the combination

of Simpson, Peterson and Hempel fails to render claim 20 obvious. Applicants respectfully request the § 103(a) of claim 20 be removed and allowance of the same.

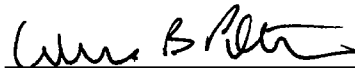
The Examiner rejected claims 21-22 and 64-65 under 35 U.S.C. § 103(a) as being obvious over Simpson, Peterson and Harrall. Applicants respectfully traverse the rejection. Claims 21-22 depend from claim 1 and claims 64-65 depends from claim 61. As set forth above, the combination of Simpson and Peterson fails to disclose all the limitations of claims 1 and 61. Further, Harrall fails to cure the deficiencies of the combination of Simpson and Peterson. Therefore, the combination of Simpson, Peterson and Harrall fails to render claims 21-22 and 64-65 obvious. Applicants respectfully request the § 103(a) of claims 21-22 and 64-65 be removed and allowance of the same.

The Examiner rejected claims 56 and 60 under 35 U.S.C. § 103(a) as being obvious over Simpson and Harrall. Applicants respectfully traverse the rejection. For similar reasons as set forth above, the combination of Simpson and Harrall fails to render claims 56 and 60 obvious. Applicants respectfully request the § 103(a) of claims 56 and 60 be removed and allowance of the same.

### **Conclusion**

Having addressed all issues set out in the Office Action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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